

intention in so doing to maim or disfigure such person, shall be sentenced to undergo a confinement in the said penitentiary for a period of time not less than two nor more than ten years, to be treated as this act directs. 6th. Every person duly convicted of the crime of rape, or as being accessory thereto before the fact, shall, at the discretion of the court, suffer death by hanging by the neck, or undergo a confinement in the said penitentiary for a period of time not less than one year nor more than twenty-one years, under the same conditions as are herein after prescribed. 7th. If any person shall carnally know and abuse any woman-child under the age of ten years, every such carnal knowledge shall be deemed felony, and the offender, being convicted thereof, shall, at the discretion of the court, suffer death by hanging by the neck, or undergo a confinement in the penitentiary for a period not less than one year nor more than twenty-one years, to be dealt with according to law. 8th. Every person duly convicted of the crime of sodomy, shall be sentenced to undergo a similar confinement for a period not less than one year nor more than ten years, under the same conditions as are herein after directed. 9th. Every person duly convicted of the crime of an assault, with an intent to rob, murder, or commit a rape, shall be sentenced to undergo a confinement in the said penitentiary house for a time not less than two nor more than ten years, under the conditions herein after prescribed. 10th. Every person, his or her counsellors, aiders or abettors, who shall be duly convicted of the crime of kidnapping, and forcibly or fraudulently carrying, or causing to be carried out of this state, any free person, or any person entitled to freedom at or after a certain age, period or contingency, or of arresting and imprisoning any free person, or any person entitled to freedom at or after a certain age, period or contingency, knowing such person to be free, or entitled to their freedom, as aforesaid, with intent to have such person carried out of this state, shall be sentenced to undergo a confinement in the said penitentiary house for a period of time not less than two nor more than ten years, to be treated as the law directs.

By 1825, ch. 93, no person to be sentenced to be confined in the penitentiary for a less time than two years.

By 1836, ch. 97, convicts to be sentenced to the penitentiary for such period as will expire between the first day of April and the last day of August.

SEC. 5. *And be it enacted*, That the offences herein after mentioned, affecting the habitations, houses or vessels, of individuals, shall be punished in manner following; that is to say, 1st. Every person duly convicted of the crime of arson, or as being accessory thereto, shall, at the discretion of the court, suffer death by hanging by the neck, or be sentenced to undergo

6. Of rape.

7. Of carnally knowing a woman child under ten years of age.

8. Of sodomy.

9. Of an assault with an intent to rob, murder or commit a rape.

10. Of kidnapping and forcibly and fraudulently carrying out of the state, or imprisoning with such design any free person or persons entitled to freedom at a certain age.

III. Punishments of offences affecting houses or vessels.

1. Of arson.